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(by and through the California Highway  
Patrol) and Sergio Flores*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

JACOB GREGOIRE,  
  
Plaintiff,  
  
v.  
  
CALIFORNIA HIGHWAY PATROL,  
an agency of the State of California;  
SERGIO FLORES, and DOES 1 to 20,  
  
Defendants.

Case No.: 14-cv-01749-GPC (DHB)

**DEFENDANTS' PRETRIAL  
DISCLOSURES**

**[Fed. R. Civ. Proc. 26(a)(3)]**

Judge: The Honorable David H.  
Bartick

In accordance with Rule 26(a)(3) of the Federal Rules of Civil Procedure,  
Defendants State of California (by and through the California Highway Patrol) and  
Sergio Flores make their mandatory pre-trial disclosures as follow:

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**I. WITNESSES**

**A. Witnesses Expected to be Presented at Trial**

(1) Defendant Sergio Flores, home address and telephone number confidential.<sup>1</sup> Work address: California Highway Patrol, 4902 Pacific Hwy., San Diego, CA 92110; (619) 220-5492 [contact to be arranged through defense counsel.]

(2) CHP Officer Eliazar Colunga (ID # 15664).

(3) CHP Officer Albert Udan (ID # 16138).

(4) CHP Officer John Concepcion (ID # 13292).

(5) CHP Sergeant Nicole Pacheco (ID # 16286), Torrance CHP Area Office, 19700 Hamilton Avenue, Torrance, CA 90502; (310) 516-3355.

(6) American Medical Response (AMR) Paramedic Ebert Lara; employment address: 4035 Bonita Rd., Bonita, CA 91902 or 8808 Balboa Avenue, San Diego, CA 92123; (858) 492-8111.

(7) American Medical Response (AMR) Paramedic Nathan Carr; employment address: 4035 Bonita Rd., Bonita, CA 91902 or 8808 Balboa Avenue, San Diego, CA 92123; (858) 492-8111.

(8) American Medical Response (AMR) Emergency Medical Technician (EMT) Britney Campos; employment address: 4035 Bonita Rd., Bonita, CA 91902 or 8808 Balboa Avenue, San Diego, CA 92123; (858) 492-8111.

(9) San Diego City Fire Department Captain Jesse Conner, San Diego City Fire Department, Fire Station 6, 693 Twining Avenue, San Diego, CA 92154.

(10) Plaintiff Jacob Gregoire.

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<sup>1</sup> For all CHP Officers listed, their home addresses and telephone numbers are confidential and protected under official information privilege and federal and state privacy rights. Their security interests (given the nature of their employment) outweigh any need for disclosure of their personal addresses and telephone numbers. Unless otherwise indicated, their work addresses are the same as that provided for Defendant Officer Sergio Flores. Litigation-related contact with any CHP Officer is to be arranged through defense counsel.

1 (11) San Diego City Fire Department Firefighter John O’Neal, Fire Station 6,  
2 693 Twining Avenue, San Diego, CA 92154.

3 (12) San Diego City Fire Department Engineer/Paramedic Firefighter Robert  
4 Herman, Fire Station 6, 693 Twining Avenue, San Diego, CA 92154.

5 (13) Justin Hutton, last known address and telephone number provided in  
6 discovery and known to all parties.

7 (14) Autumn Mitchell (previously known as Korrie E. Mitchell), last known  
8 address and telephone number provided in discovery and known to all parties.

9 (15) Chula Vista Fire Department Captain David Albright, last known work  
10 address and telephone number in discovery materials.

11 (16) Chula Vista Fire Department Captain John McLintock, last known work  
12 address and telephone number in discovery materials.

13 (17) Defense expert witness Greg Meyer – police practices. He will be called  
14 to testify on all subjects connected to Defendants’ expert witness disclosures and  
15 reports and in rebuttal to any percipient and expert testimony offered by Plaintiff.  
16 His address and telephone number were previously disclosed.

17 (18) Defense expert witness Dominic Addario, M.D. – medical/psychiatry  
18 expert. He will be called to testify on all subjects connected to Defendants’ expert  
19 witness disclosures and reports and in rebuttal to any percipient and expert  
20 testimony offered by Plaintiff. His address and telephone number were previously  
21 disclosed.

22 (19) Defense expert witness Officer Christopher Stout. He will be called to  
23 testify on all subjects connected to Defendants’ expert witness disclosures and in  
24 rebuttal to any percipient and expert testimony offered by Plaintiff. His address and  
25 telephone number were previously disclosed.

26 **B. Witnesses Who May be Called if Need Arises**

27 (1) CHP Sergeant B. Hagerty (ID # 12526) (possibly 11526).

28 (2) CHP Lieutenant Lorenzo Ruano (ID # 14869).

1 (3) CHP Sergeant T. Eglin (ID # 12999).

2 (4) Chula Vista Fire Department Firefighter Andrew Mathews, last known  
3 work address and telephone number in discovery materials.

4 (5) Chula Vista Fire Department Firefighter Joshua Rees, last known work  
5 address and telephone number in discovery materials.

6 (6) Chula Vista Fire Engineer Jonus Jusay, last known work address and  
7 telephone number in discovery materials.

8 (7) Dean Elwood, KFMB-TV, 7677 Engineer Road, San Diego, CA 92111.

9 (10) Larry Augustine Masi, M.D., previously worked at Kaiser Permanente,  
10 Otay Mesa Outpatient Medical Center, 4650 Palm Avenue, San Diego, CA 92154.  
11 Another address listed on internet is 4660 Palm Avenue, San Diego, CA 92154;  
12 (877) 496-0450.

13 (11) Dina Amparan-Black, Kaiser Permanente Custodian of Medical Records,  
14 Central Release of Information Unit, Unit 10740 4th Street, 2nd Floor, Rancho  
15 Cucamonga, CA 91730; (909) 367-7705.

16 (12) Neil Alex, M.D., 4647 Zion Avenue, San Diego, CA 92120; (877) 496-  
17 0450.

18 (13) Robert Chavez, last known address, 11 Arizona Way, Henderson, NV  
19 89015.

20 (14) Robert Wesley Parfitt, last known address and telephone number 1025  
21 Cresta Way, San Rafael, CA 94903; (415) 302-8431.

22 (15) California Department of Transportation (CALTRANS) Assistant  
23 Resident Engineer Casey Meredith, 817 Sweetwater Rd., Spring Valley, CA 91977.

24 (16) CALTRANS Resident Engineer Paul Hsu, 817 Sweetwater Rd., Spring  
25 Valley, CA 91977.

26 (17) Matthias Hoang, Communication Center Manager, San Diego  
27 Operations, West Region, American Medical Response, 8808 Balboa Avenue, Suite  
28 150, San Diego, CA 92123; (858) 492-3676.

(18) Jocelyn Francisco, custodian of records for Chula Vista Fire Department, 276 Fourth Avenue, Chula Vista, CA 91910; (619) 409-5981.

(19) Geness Potter, ACE Imaging Technologies, 811 Wilshire Boulevard, Suite 900, Los Angeles, CA 90017; (213) 623-3979.

(20) Hermon Howell, custodian of records for Chula Vista Fire Department, 276 Fourth Avenue, Chula Vista, CA 91910; (619) 409-5981.

**C. Witnesses Whose Testimony is Expected to be Presented by Deposition**

None at this time.

**II. DOCUMENTS**

**A. Exhibits Defendants Expect to Present at Trial:**

NUMBER	DESCRIPTION
300.	Audio Recording of February 6, 2014, CHP Interview of Justin Hutton
301.	Audio Recording of February 7, 2014, CHP Interview of Autumn Mitchell (previously known as Korri Mitchell)
302.	February 8, 2014, Memorandum by Sergeant Hagerty of Interview of Interview of Ms. Mitchell
303.	February 10, 2014, Memorandum by Sergeant Hagerty of Interview of Justin Hutton.
304.	Audio Recording of February 11, 2014, CHP CIIT Interview of CHP Officer Eliazar Colunga
305.	Audio Recording of February 13, 2014, CHP CIIT Interview of CHP Officer Sergio Flores
306.	Audio Recording of February 19, 2014, CHP CIIT Interview of CHP Officer Sergio Flores
307.	Audio Recording of February 11, 2014, CHP CIIT Interview of CHP Officer Albert Udan
308.	Audio Recording of February 12, 2014, CHP CIIT Interview of CHP Officer John Concepcion
309.	Audio Recording of February 12, 2014, CHP CIIT Interview of CHP Sergeant Nicole Pacheco
310.	Audio Recording of February 13, 2014, CHP CIIT Interview of AMR Paramedic Ebert Lara
311.	Audio Recording of February 13, 2014, CHP CIIT Interview of AMR Paramedic Nathan Carr
312.	Audio Recording of February 17, 2014, CHP CIIT Interview of AMR EMT Britney Campos
313.	Audio Recording of February 13, 2014, CHP CIIT Interview of San Diego Fire Department Captain Jesse Conner
314.	Audio Recording of February 13, 2014, CHP CIIT Interview of San

1	NUMBER	DESCRIPTION
2		Diego Fire Department Firefighter John O'Neal
3	315.	Audio Recording of February 26, 2014, Interview of San Diego Fire Department Engineer/Paramedic Firefighter Robert Herman
4	316.	Mobile Video Audio Recording System (MVARs) recording from Officer Sergio Flores's vehicle for February 4, 2014, incident
5	317.	MVARs recording from Officer Eliazar Colunga's vehicle for February 4, 2014, incident.
6	318.	MVARs recording from Officer Udan's vehicle for February 4, 2014, incident.
7	319.	Critical Incident Investigation Team Report (as produced in discovery with redacted privileged and confidential information)
8	320.	Officer Sergio Flores's February 5, 2014, Arrest-Investigation Report (CHP 216) for February 4, 2014 arrest
9	321.	Officer Eliazar Colunga's Traffic Collision Report, 14-02-034, for February 4, 2014, traffic collision, with Udan Narrative Supplemental and CHP 180 Vehicle Report
10	322.	Transcript of Deposition of Jacob Gregoire (and all exhibits attached thereto)
11	323.	Transcript of Deposition of Captain David Albright (and all exhibits attached thereto)
12	324.	Synced Video/Audio of Deposition of Jacob Gregoire
13	325.	Synced Video/Audio of Deposition of Captain David Albright
14	326.	Still photo # 1 from news video of incident
15	327.	Still photo # 2 from news video of incident
16	328.	Still photo # 3 from news video of incident
17	329.	Still photo # 4 from news video of incident
18	330.	Still photo # 5 from news video of incident
19	331.	Still photo # 6 from news video of incident
20	332.	Still photo # 7 from news video of incident
21	333.	Still photo # 8 from news video of incident
22	334.	Still photo # 9 from news video of incident
23	335.	Still photo # 10 from news video of incident
24	336.	Still photo # 11 from news video of incident
25	337.	Still photo # 12 from news video of incident
26	338.	Still photo # 13 from news video of incident
27	339.	Still photo # 14 from news video of incident
28	340.	Still photo # 15 from news video of incident
	341.	Still photo # 16 from news video of incident
	342.	Still photo # 17 from news video of incident
	343.	Still photo # 18 from news video of incident
	344.	Still photo # 19 from news video of incident
	345.	Still photo # 20 from news video of incident
	346.	Still photo # 21 from news video of incident
	347.	Still photo # 22 from news video of incident
	348.	Still photo # 23 from news video of incident
	349.	Still photo # 24 from news video of incident
	350.	Still photo # 25 from news video of incident
	351.	Still photo # 26 from news video of incident
	352.	Still photo # 27 from news video of incident
	353.	Still photo # 28 from news video of incident



NUMBER	DESCRIPTION
354.	Still photo # 29 from news video of incident
355.	Still photo # 30 from news video of incident
356.	Video clip # 1 from news video of incident, with deletion of audio
357.	Video clip # 2 from news video of incident, with deletion of audio
358.	Video clip # 3 from news video of incident, with deletion of audio
359.	Video clip # 4 from news video of incident, with deletion of audio
360.	Video clip # 5 from news video of incident, with deletion of audio
361.	Video clip # 6 from news video of incident, with deletion of audio
362.	Video clip # 7 from news video of incident, with deletion of audio
363.	Video clip # 8 from news video of incident, with deletion of audio
364.	Video clip # 9 from news video of incident, with deletion of audio
365.	Video clip # 10 from news video of incident, with deletion of audio
366.	Video clip # 11 from news video of incident, with deletion of audio
367.	Video clip # 12 from news video of incident, with deletion of audio
368.	Video clip # 13 from news video of incident, with deletion of audio
369.	Video clip # 14 from news video of incident, with deletion of audio
370.	Video clip # 15 from news video of incident, with deletion of audio
371.	Video clip # 16 from news video of incident, with deletion of audio

#### **B. Exhibits Defendants will Offer if Need Arises**

	DESCRIPTION
372.	Subpoena Documents and Plaintiff's Kaiser Permanente Mental Health Records, produced under subpoena (custodian declaration signed on March 20, 2015).
373.	Roger Clark's September 7, 2015, expert witness report
374.	Breffni Barrett's September 8, 2015, expert witness report
375.	Greg Meyer's Curriculum Vitae
376.	Dominick Addario, M.D.'s Curriculum Vitae
377.	Officer Christopher T. Stout's Statement of Departmental Experience (Curriculum Vitae)
378.	Greg Meyer's September 4, 2015 Expert Witness Report and all exhibits attached thereto
379.	Dominick Addario, M.D.'s September 1, 2015, Expert Witness Report and all exhibits attached thereto
380.	Dominick Addario, M.D.'s October 6, 2015, Supplemental/Rebuttal Expert Witness Report and all exhibits attached thereto
381.	Greg Meyer's October 7, 2015, Supplemental/Rebuttal Expert Witness Report and all exhibits attached thereto.
382.	Defendant California Highway Patrol's Interrogatories to Plaintiff (Set No. One) served on February 19, 2015
383.	Plaintiff's Responses to Defendant California Highway Patrol's Interrogatories (Set No. One) (served on March 9, 2015).
384.	<u>Law Enforcement Guide for Emergency Operations</u> , California Office of Emergency Services, 2014 Edition
385.	<u>Foundation for the Standardized Emergency Management System (SEMS)</u> , California Emergency Management Agency, 2010
386.	California Highway Patrol Manual (HPM) 50.1, Chapter 2

1		DESCRIPTION
2		“Emergency Incident Management and the Incident Command System” (also including annexes).
3	387.	California Highway Patrol Manual (HPM) 70.6, Chapter 14, “Freeway Accident/Incident Procedures”
4	388.	California Highway Patrol Manual (HPM) 70.6, Chapter 15 “Freeway Congestion”
5	389.	Best Practices for Emergency and Roadway Operations Safety in the Emergency Services, International Association of Firefighters, Federal Emergency Management Agency, National Institute of Justice, 2010
6		
7	390.	SEMS Guidelines, Standardized Emergency Management System, California Emergency Management Agency, 2009
8	391.	Best Practices in Traffic Incident Management, Federal Highway Administration, United States Department of Transportation, 2010
9	392.	U.S. Fire Administration Traffic Incident Management Systems, April 2008
10	393.	Audio recording of Chula Vista Fire Department Dispatch Logs for February 4, 2014, incident – audio file CVCMD6F - Garcia
11	394.	Audio recording of Chula Vista Fire Department Dispatch Logs for February 4, 2014, incident – audio file CVDISP6B - Garcia
12	395.	Audio recording of Chula Vista Fire Department Dispatch Logs for February 4, 2014, incident – audio file CVTAC6G - Garcia
13	396.	Audio Recording of CHP Border Communication Center Dispatch Logs for February 4, 2014, incident.
14	397.	Caltrans Construction Photo 1
15	398.	Caltrans Construction Photo 2
16	399.	Caltrans Construction Photo 3
17	400.	Caltrans Construction Photo 4
18	401.	Caltrans Construction Photo 5
19	402.	Caltrans Construction Photo 6
20	403.	Caltrans Construction Photo 7
21	404.	Caltrans Construction Photo 8
22	405.	Caltrans Construction Photo 9
23	406.	CHP CAD Incident Detail Report – Incident Number 140204BC00909
24	407.	SDMSE CADView – Incident Detail Report, Incident Number – CV14001832 (Chula Vista Fire Department CAD Log for February 4, 2014, incident).
25	408.	February 18, 2014, 4:12 p.m. email from Matthias Hoang (American Medical Response) to Lieutenant Ruano (containing AMR dispatch log for February 4, 2014, incident 1401533).
26	409.	February 5, 2014, 7:51 a.m., email from Andrew Mathews to Darrell Roberts; Robert Nelson; cc John McLintock: Subject: I-805 Incident.
27	410.	CALTRANS Project Diagram – Attachment 14 to CIIT Report.
28	411.	Subpoena documents and Plaintiff’s employment records as obtained through subpoena, with custodian certifications of May 7, 2015
	412.	Synced Audio/Video and written Transcript of Deposition of Eliazar Colunga
	413.	Synced Audio/Video and written Transcript of Deposition of Sergeant Nicole Pacheco



	DESCRIPTION
414.	Synced Audio/Video and written Transcripts of Depositions of Sergio Flores
415.	RESERVED
416.	RESERVED
417.	RESERVED
418.	RESERVED
419.	RESERVED
420.	RESERVED
421.	RESERVED
422.	RESERVED
423.	RESERVED
424.	RESERVED
425.	RESERVED
426.	RESERVED
427.	RESERVED

Dated: February 5, 2016

Respectfully submitted,

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Supervising Deputy Attorney General

s/DOUGLAS E. BAXTER  
DOUGLAS E. BAXTER  
Deputy Attorney General  
Attorneys for Defendants State of  
California (by and through the  
California Highway Patrol) and  
Sergio Flores

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### CERTIFICATE OF SERVICE

Case Name: **Gregoire v. CHP**

No. **14-cv-01749-GPC (DHB)**

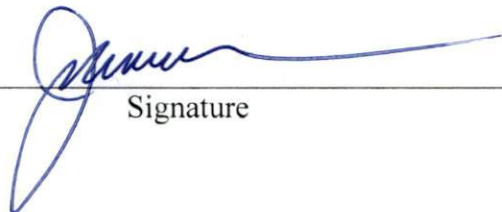
I hereby certify that on February 5, 2016, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

**DEFENDANTS' PRETRIAL DISCLOSURES [Fed. R. Civ. Proc. 26(a)(3)]**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on February 5, 2016, at San Diego, California.

\_\_\_\_\_  
J. L. Hall  
Declarant

  
\_\_\_\_\_  
Signature

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